UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _12 April 2010_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-30_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-30_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _05/03/2010_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   The office action is in replay to an amendment filed on 04/12/2010.Claims 1, 16

have been amended. Claims 1-30 are pending.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-30 have been considered but are

not persuasive.

3.   The applicant argued that the combination of McDonnell-Kubo-Heller does not

explicitly teach or suggest "receiving, in a computer, a plurality of fixed coordinates,

each of the fixed coordinates representing a location of an item and the plurality of fixed

coordinates being generated by more than one process". The examiner disagree and

points out the combinations of McDonnell-Kubo-Heller teach receiving , in a computer,

a plurality of fixed coordinates each of the fixed coordinates representing a location of an

item and the plurality of fixed coordinates being generated by more than one process (See

McDonnell col.9 lines 44-47(i.e., **obtain location data**); utilizing, in the computer, a

cryptographic algorithm to process the plurality of fixed coordinates forming a processed

data(See McDonnell col.6 lines 49-56 and col.9 lines 56-60(i.e.., **encrypt location**

data).Applicant also argued that the combination of McDonnell-Kubo-Heller does not

teach or suggest "comparing , in computer, the encrypted fixed coordinates of the

processed data to at least a portion of secondary data that comprises one or more

encrypted fixed coordinates to determine whether a relationship exists between the

encrypted fixed coordinates of the processed data and the encrypted fixed coordinates of

the secondary data. The examiner disagree and points out the combination of McDonnell-

Kubo-Heller teach comparing , in computer, the encrypted fixed coordinates of the

processed data to at least a portion of secondary data that comprises one or more

encrypted fixed coordinates to determine whether a relationship exists between the

encrypted fixed coordinates of the processed data and the encrypted fixed coordinates of

the secondary data(See Kubo col.10 lines 18-27,col.16 lines 39-67 and Figs 18A, Fig 23

steps S 193-195).The applicant also argued that the combination of McDonnell-Kubo-

Heller "the plurality of fixed coordinates being generated by mort than one process". The

examiner disagrees and points out the combination of McDonnell-Kubo-Heller teach the

plurality of fixed coordinates being generated by mort than one process (See Heller col.8

lines 6-21).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-7,10-13,16-22, and 25-28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over McDonnell et al(hereinafter referred as McDonnell) US 7,512,234 B2

in view of Kubo et al(hereinafter referred as Kubo) US Patent No 7,007168 B2 and

further in view of Heller et al (herein after referred as Heller) US Patent No 3,793,634

6.   As per claims 1, 16: McDonnell discloses a method/computer readable medium

for identification processing and comparison of location coordinate data in a confidential

and anonymous manner comprising: receiving, in a computer, a plurality of fixed

coordinates each of the fixed coordinates representing a location of an item more than

one process (See col.9 lines 44-47(i.e., obtain location data)); utilizing , in the computer,

a cryptographic algorithm to process the plurality of fixed coordinates forming a

processed data (See col.6 lines 49-56 and col.9 lines 56-60(i.e., encrypt location data)).

McDonnell does not explicitly teach comparing, in the computer, the encrypted

fixed coordinates of the processed data to at least a portion of secondary data that

comprises one or more encrypted fixed coordinates to determine whether a relationship

exists between the encrypted fixed coordinates of the processed data and the encrypted

fixed coordinates of the secondary data.

However Kubo teaches comparing the encrypted fixed coordinates of the

processed data to at least a portion of secondary data that comprises one or more

encrypted fixed coordinates to determine whether a match exists between the encrypted

fixed coordinates of the processed data and the encrypted fixed coordinates of the

secondary data (See col. 10 lines 18-27, col. 16 lines 39-67 and Figs18A, Fig 23 steps S

193-195)

Therefore it would have been obvious to one ordinary skill in the art at that time

the invention was made to employ the teachings method of Kubo within Denning method

in order to provide delivering encrypted information in a communication network using

location data.

The combination of McDonnell and Kubo does not explicitly teach the plurality

of fixed coordinates being generated by more than one process.

However Heller teaches the plurality of fixed coordinates being generated by

more than one process (See col.8 lines 6-21).

Therefore it would have been obvious to one ordinary skill in the art at the time

the invention was made to employ the teaching method of Heller within the combination

of McDonnell and Kubo in order to provide a system tracking a target by digital

techniques (See Heller col. 2 lines 23-25).

7.   As per claims 2,17: the combination of McDonnell-Kubo-Heller teach further

comprising the step of receiving data representing the location of the item and

determining the plurality of fixed coordinates that represent the location of the item prior

to receiving the plurality of fixed coordinates (See McDonnell col.3 lines 41-51 and col.9

lines 44-47).

8.   As per claims 3, 18: the combinations of McDonnell-Kubo-Heller teach the

method further comprising the step of storing the processed data in a database (See col.11

lines 25-39).

9.   As per claims 4,19: the combination of McDonnell-Kubo-Heller teach the method

wherein the step of comparing the processed data to at least a portion of secondary data

includes the secondary data comprising data previously stored in a database (See Kubo

col. 10 lines 18-27 and Figs18A,Fig 23 steps S 193-195).

10.   As per claims 5,20: the combination of McDonnell-Kubo-Heller teach the method

further comprising the step of matching the processed data to the at least a portion of

secondary data that is determined to reflect an identical one of the plurality of fixed

coordinates (See Kubo col. 10 lines 18-27 and Figs18A,Fig 23 steps S 193-195).

11.   As per claims 6, 21: the combinations of McDonnell-Kubo-Heller teach the method further comprising the step of issuing a signal based upon a user-defined rule (See McDonnell col.8 lines 16-29).

12.   As per claims 7,22: the combination of McDonnell-Kubo-Heller teach the method wherein the step of determining the plurality of fixed coordinates that represent the location occurs in relation to a grid (See Kubo col. 19 lines 54-58).

13.   As per claims 10, 25: the combinations of McDonnell-Kubo-Heller teach the method wherein the grid is a multi-dimensional grid (See Kubo col. 19 lines 54-58).

14.   As per claims 11, 26: the combinations of McDonnell-Kubo-Heller teach the method wherein the grid is based upon a user-defined criterion (See Kubo col. 19 lines 54-58).

15.   As per claims 12, 27: the combinations of McDonnell-Kubo-Heller teach the method wherein the user-defined criterion corresponds with quantity (See Kubo col. 19 lines 54-58).

16.   As per claims 13, 28: the combinations of McDonnell-Kubo-Heller teach the method wherein the user-defined criterion corresponds to time (See Kubo col. 14 lines 30-40).

17.   Claims 14-15, 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonnell et al (hereinafter referred as McDonnell) US 7,512,234 B2 in view of Kubo et al (hereinafter referred as Kubo) US Patent No 7,007168 B2 and further in view of Heller et al (herein after referred as Heller) US Patent No 3,793,634 and further more in view of Denning et al (hereinafter referred as Denning) US 7,143,289 B2.

18.   As per claims 14, 29: the combination of McDonnell-Kubo-Heller teach claim 1

as recited above. McDonnell-Kubo-Heller does not explicitly teach the method wherein

the step of determining the plurality of fixed coordinates that represent the location

includes the step of determining a nearest of the plurality of fixed coordinates. However

Denning teaches the method wherein the step of determining the plurality of fixed

coordinates that represent the location includes the step of determining a nearest of the

plurality of fixed coordinates (See Denning Fig steps 504,143,140 and col. 7 lines 35-45).

Therefore it would have been obvious to one ordinary skill in the art at that time the

invention was made to employ the teachings method of Denning method within

McDonnell-Kubo-Heller method in order to provide delivering encrypted information in

a communication network using location data.

19.   As per claims 15,30: the combination of McDonnell-Kubo-Heller-Denning teach

the method wherein the step of determining a plurality of fixed coordinates that represent

the location includes the step of determining the plurality of fixed coordinates

surrounding the location (See Denning Fig steps 504,143,140 and col. 7 lines 35-45).

20.   **Claims 8-9, 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over McDonnell et al (hereinafter referred as McDonnell) US 7,512,234 B2 in view

of Kubo et al (hereinafter referred as Kubo) US Patent No 7,007168 B2 and further

in view of Heller et al (herein after referred as Heller) US Patent No 3,793,634 and

further more in view of Clapper (US Pub No 2003/0108202)

21.   As per claims 8-9 and 23-24: the combinations of McDonnell –Kubo-Heller teach

claims 7 and 22 as recited above. The combinations of McDonnell-Kubo-Heller do not

explicitly teach the method wherein the grid comprises a uniform grid and non-uniform

grid. However Clapper discloses the method wherein the grid comprises a uniform and

non-uniform grid (See 0018).Therefore it would have been obvious to one ordinary skill

in the art at that time the invention was made to modify the teaching method of Clapper

within McDonnell-Kubo-Heller method in order to determine location.

Conclusion

22.   THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of

time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Fikremariam Yalew whose telephone number is

5712723852. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-4195.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Fikremariam Yalew/   /Nasser Moazzami/
Examiner, Art Unit 2436   Supervisory Patent Examiner, Art Unit
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